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**Please find below and/or attached an Office communication concerning this application or proceeding.**

The time period for reply, if any, is set in the attached communication.

### Office Action Summary

**Application No.**

10/791,298

**Applicant(s)**

MORRIS ET AL.

**Examiner**

PAUL P. TRAN

**Art Unit**

2618

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --  
**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☒ Responsive to communication(s) filed on 14 July 2009.  
2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.  
3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 1,3-19,21-65 and 67-102 is/are pending in the application.  
4a) Of the above claim(s) 2,20 and 66 is/are withdrawn from consideration.  
5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.  
6) ☒ Claim(s) 1,3-19,21-65 and 67-102 is/are rejected.  
7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.  
8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.  
10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).  
11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).  
a) ☐ All b) ☐ Some \* c) ☐ None of:  
1. ☐ Certified copies of the priority documents have been received.  
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.  
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

- 1) ☒ Notice of References Cited (PTO-892)  
2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)  
3) ☐ Information Disclosure Statement(s) (PTO/SB/08)  
Paper No(s)/Mail Date \_\_\_\_\_  
4) ☐ Interview Summary (PTO-413)  
Paper No(s)/Mail Date \_\_\_\_\_  
5) ☐ Notice of Informal Patent Application  
6) ☐ Other: \_\_\_\_\_

## **DETAILED ACTION**

### ***Response to Arguments***

1. Applicant's arguments in the remarks filed on 07/14/2009 with respect to claims 1, 3-19, 21-65 and 67-102 have been considered, but are moot in view of the new ground(s) of rejection.

Claims 1, 3-19, 21-65 and 67-102 are pending in the application, of the above, Claims 1, 19, 34, 48, 63, 78, 84, 90 and 96 are independent claims. Claims 2, 20 and 66 have been cancelled by the Applicant.

### ***Claim Objections***

1. The following claims are objected to because of the following informalities. (This objection has not been addressed by the Applicant as mentioned in the previous Office action):

1.1. Regarding Claims 21-22 and 28, the claims are inappropriately set dependent to a cancelled claim 20. Appropriate correction is required.

***Claim Rejections - 35 USC § 103***

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

2. Claims 1, 3-19, 21-65 and 67-102 are rejected under 35 U.S.C. 103(a) as being unpatentable over Clayton et al. (US Pat. 6725022 B1, hereinafter "Clayton") in view of Tashiro et al. (US Pub. 2003/0003899, hereinafter "Tashiro").

2.1. Regarding Claims 1, 19 and 34, Clayton discloses a method and mobile information system comprising: a plurality of mobile units; a subscription server in communication with said plurality of mobile units (Fig. 1 & 3, ref 20/184, ref 182, 200,210, Col. 6: 26-54, plurality of multimedia devices 20/184 communicating with multiple servers 182, 200, and 210, i.e. subscription server, via Internet gateway 30); and a client subscription manager operable on said subscription server for compiling a data feed for each one of said plurality of mobile units, said data feed comprising channel data for each one of a plurality of channels subscribed to by each one of said plurality of mobile units (Fig. 3, ref 200, Col. 11: 22-49, a customer adaptive profiler 200, i.e. subscription manager, compiling user's system preferences such as channel selection and purchasing interest, i.e. data feed, for each user of the multimedia device); one interactive multimedia

runtime container (iMRC), operable on a display of said plurality of mobile units, for said each one of said plurality of channels subscribed to (Fig. 2, ref 166, 170, Col. 10: a radio device display or screen 160 with interactive multimedia soft action buttons or selectors 162, 166, 170, 172 embedded with software application stored in memories 50, 92, i.e. iMRC, operable on the display 160 for user to navigate and select the preferred channel that user subscribes to); and a channel application, operable within said one iMRC, for presentation of one of said plurality of channels subscribed to, wherein said channel application presentation uses said updated channel data from said feed store to display one of said plurality of channels subscribed to (Fig. 2, ref 166, 170, 172, Col. 10: 1-36, user is able to configure soft preset buttons such that it can be operable on selectable channel(s) for display on the screen 160; the computer application programs stored in memory 50 and 92 in the multimedia device 20 control each action buttons, i.e. iMRC, to display and operate on each user's selected channel). However, Clayton fails to disclose the channel data is updated over time such that updated channel data is provided over time for storage in a feed store on each one of said plurality of mobile units and said feed store comprising updated channel data received in the stream of data compiled by the dynamic information subscription sever.

Tashiro discloses a data broadcasting system and receiving terminal device (Fig. 1, ref 10, ref 40, Page 3: [0043]-[0048], a satellite communication broadcasting station 10 and terminal device 40), wherein the data broadcasting

system comprising channel data is updated over time such that updated channel data is provided over time for storage in a feed store on each one of said plurality of mobile units (Fig. 8, page 5: [0088], [0097], the Electronic Program Guide and channel data are stored in the database of the terminal device 40 is automatically and "periodically updated" with details descriptions as outlined in pp. [0098]-[[0101]) and said feed store comprising updated channel data received in the stream of data compiled by the dynamic information subscription sever (Fig. 3, ref 52A, page 4: [0058], the terminal device comprising a database update controller for detecting the database update data sent from the mobile satellite broadcasting station 10, i.e. server, for updating, changing, adding or deleting the registered objects on the terminal device 40 ).

As a result, it would have been obvious to one having ordinary skill in the art at the time the invention was made to combine Tashiro's channel data content updating to Clayton's mobile radio with portable applications to improve adequate services in providing various program formats to the viewers (Tashiro: Page 1: [0008]).

2.2. Regarding Claims 3, 33 and 35, Clayton and Tashiro disclose the method and the mobile information system of claim 1 further comprising: a navigation component on each of said mobile units for translating navigation movements entered by a user into navigation signals, wherein said navigation signals control at least one of: navigation between ones of said plurality of channels (Clayton: Fig. 2, ref 162, ref 166, 170, 172, 174, Col. 7: 47-54; Col. 9: 14-29, user can

navigate for selection of channel using navigation buttons 162a-b or preset buttons 170, 172, 174); and navigation within rich media information displayed within said each one of said plurality of channels (Clayton: Fig. 2, ref 160, Col. 9: 1-29, the multimedia data are displayed on the screen 160 as hierarchical channel display or soft action keys for user selection through navigation).

2.3. Regarding Claims 4, 26 and 45, Clayton and Tashiro disclose the mobile information system of claim 1 further comprising: a user interface application for receiving input from a user related to at least one of: subscription to one or more of said plurality of channels; unsubscribing to one or more of said plurality of rich media channels subscribed to (Clayton: Fig. 2, ref 160, Col. 9: 1-29, allowing user to access and select audio and information channels); and user preferences for information to be presented in said each of said plurality of channels subscribed to (Clayton: Fig. 2, Col. 9: 52-61, channel selection is displayed to user's preferable configuration).

2.4. Regarding Claim 5, Clayton and Tashiro disclose the mobile information system of claim 1, wherein said updated channel data is stored associated with each corresponding one of said plurality of channels subscribed to (Clayton: Fig. 1-2, ref 50, ref 92, Col. 8: 31-47, memory storage 50 and 92 on the multimedia device 20 for storing applications associated with different communication channels. Tashiro: Fig. 3, ref 55A, Page 4: [0058], database 55A is updated by the controller 52A to contents analyzed by the scene description analyzer 48).

2.5. Regarding Claim 6, Clayton discloses the mobile information system of claim 5 wherein said channel data stored in said feed store is accessible only by said each corresponding one of said plurality of channels (Clayton: Fig. 2; Fig. 5, Col. 8: 57-67, multimedia data in storage are accessible by the soft action buttons on the display dedicated for selected channel).

2.6. Regarding Claim 7, Clayton and Tashiro disclose the mobile information system of claim 1 further comprising: a signaling engine located within each of said plurality of mobile units, wherein said signaling engine monitors for signals transmitted by said subscription server (Clayton: Fig. 1-2, ref 110, Col. 14: 51-64, the device monitors signal from local station such that in case of a lost in signal, the device 20 sends a request to gateway broadcaster for synchronizing the list of local stations).

2.7. Regarding Claims 8 and 25, Clayton and Tashiro disclose the mobile information system of claim 7 wherein said signals transmitted by said subscription server indicate availability of an updated data feed (Clayton: Fig. 3, Col. 11: 7-39, program listings, advertisements are updated and sent to user device based on geographic area).

2.8. Regarding Claim 9, Clayton and Tashiro disclose the mobile information system of claim 8 wherein said mobile device transmits a request for said updated data feed upon receipt of said signals (Clayton: Fig. 2, Col. 11: 21-39, user wishes to purchase product may press soft action buttons to buy or update



feed data; Clayton: Col. 14: 51-64, the device monitors signal from local station such that in case of a lost in signal, the device 20 sends a request to gateway broadcaster for synchronizing the list of local stations).

2.9. Regarding Claim 10, Clayton and Tashiro disclose the mobile information system of claim 1 further comprising: a transaction manager located within each of said plurality of mobile units, wherein said transaction manager transmits information received from a user to said subscription server (Clayton: Figs. 1-2, a communication unit gateway transceiver 130 control communication interface for sending/receiving, i.e. transaction, information to/from gateway network 30 containing central servers 182, i.e. subscription server).

2.10. Regarding Claim 11, Clayton and Tashiro disclose the mobile information system of claim 10 wherein said information received from said user comprises at least one of: user preferences concerning display of plurality of channels subscribed to (Clayton: Col. 7: 55-59, preferred channels and information services); and user requests for subscribing to another one of said plurality of channels (Clayton: Col. 8: 31-56, multimedia data containing audio broadcasting data, internet information and video navigation data through different channels).

2.11. Regarding Claim 12, Clayton and Tashiro disclose the mobile information system of claim 1 further comprising: a push engine for separating said data feed into data chunks corresponding to channel data for each one of said plurality of channels subscribed to (Clayton: Fig. 3, Col. 10: 66-Col. 11: 39, dedicated server

with data cache for enhancing streaming data, personalized for fitting and pushed to the multimedia device 20).

2.12. Regarding Claims 13 and 40, Clayton and Tashiro disclose the mobile information system of claim 1 wherein said channel application is downloaded from said subscription server on subscription to one of said plurality of channels (Clayton: Col. 7: 4-12, 24-30, personal information, audio or multimedia files are downloaded to device 20 using wireless cellular, internet connection 60 or via short range communication 70 into configuration channels of display interface).

2.13. Regarding Claims 14 and 41 Clayton and Tashiro disclose the mobile information system of claim 13 wherein updates to said channel application are downloaded from said subscription server (Clayton: Col. 8: 7-16, navigation services are updated from gateway 30 via downloading when device 20 reports location change).

2.14. Regarding Claim 15, Clayton discloses the mobile information system of claim 1 wherein said subscription server transmits one or more system feeds for providing system data (Clayton: Fig. 3, ref 30, Col. 11: 1-39, server comprising streaming data 188, personal information data channels 204 and navigation data services 202).

2.15. Regarding Claim 16, Clayton and Tashiro disclose the mobile information system of claim 15 wherein said system data provides channel data for displaying one or more system channels (Clayton: Fig. 3, ref 30, Col. 11: 1-39,

server comprising streaming data 188, personal information data channels 204 and navigation data services 202).

2.16. Regarding Claims 17, 32 and 47, Clayton and Tashiro disclose the mobile information system of claim 16 wherein said one or more system channels comprises one or more of: a channel listing providing information on each of said plurality of channels available for subscription; a headline channel for displaying a summary of each of said plurality of channels subscribed to, said summary displayed in a single channel; a promotions channel for displaying one or more promotions directed to a plurality of subscribers to said mobile information system; visual elements of said iMRC; and a game channel (Clayton: Col. 11: 7-20, program listing via database 194; Clayton: Fig. 3, ref 194, ref 196, ref 188, ref 202, Col. 11: 1-38, the internet gateway comprising streaming data servers 188 as discovery channels, broadcast relational database 194 shows current playing channels; advertising database 196 for showing promotions channels; Clayton: Fig. 2, ref 160, multimedia device containing LCD display screen for visually displaying, i.e. visual elements, the hierarchical channels; Clayton: Col. 7: 4-12, personal information services comprising email, stock quotes, interactive audio games, etc.).

2.17. Regarding Claim 18, Clayton and Tashiro disclose the mobile information system of claim 16 wherein said one or more system feeds are accessible only

by said one or more system channels (Clayton: Col. 8: 31-56, GPS navigation and personal information data channels are system accessible only channels).

2.18. Regarding Claims 21, 38 and 46, Clayton and Tashiro disclose the system of claim 19 wherein access to said channel data associated with said each one of said plurality of rich media channels is restricted to said each one of said plurality of rich media channels (Clayton: Fig. 3, ref 188, Col. 11: 4-7, a dedicated streaming data servers 188 are used to broadcast personalized audio broadcasts to vehicle 184; Fig. 3, ref 200, Col. 11: 40-49, registration and profile information; Col. 14: 1-14, user can only access channels that matches with profile).

2.19. Regarding Claims 22, 36, and 37, Clayton and Tashiro disclose the system of claim 19 further comprising: a push engine application on said mobile device for separating said stream of channel data for each of said plurality of rich media channels and storing said separate channel data in said channel data storage (Clayton: Col. 9: 30-51, with navigation button, user can see all channels in screen, but when selected, the each channel data will find correct application to play; Col. 8: 57-67, digital data may be stored in multimedia device 20 for playback viewing).

2.20. Regarding Claim 23, Clayton discloses the system of claim 19 further comprising: a channel application storage on said mobile device for storing a rich media application defining the visual experience of each of said plurality of rich

media channels (Clayton: Fig. 1-2, ref 50, 92, Col. 8: 57-67, digital real-time broadcasts can be stored into digital storage 92 for playback).

2.21. Regarding Claim 24, Clayton and Tashiro disclose the system of claim 23 wherein said stream of channel data also comprises application data defining said channel application (Clayton: Fig. 5, Col. 14: 15-29, the stream of data are categorized into channels with different applications).

2.22. Regarding Claim 27, Clayton and Tashiro disclose the system of claim 19 wherein a first page of each of said plurality of rich media channels subscribed to is sequentially displayed on said display when no activity has been detected by a user for a predefined period of time (Clayton: Fig. 2, Col. 11: 34-39, enhanced advertising information is pushed to user for a short period of time on the screen).

2.23. Regarding Claim 28, Clayton and Tashiro disclose the system of claim 20 wherein a rich media subscription server updates said channel data stored in said channel data storage (Clayton: Col. 8: navigation information is updated in the navigation application stored in the storage 92).

2.24. Regarding Claim 29, Clayton discloses the system of claim 28 wherein said updates are initiated by at least one of: said mobile device; and said rich media subscription server (Clayton: Fig. 2, Col. 11: 21-39, user wishes to purchase product may press soft action buttons to buy or update feed data; Col. 14: 51-64, automatically updating lost signal).

2.25. Regarding Claim 30, Clayton and Tashiro disclose the system of claim 29 wherein an option is presented to said user for selecting an interval in which to poll said rich media subscription server for said updates (Clayton: Col. 11: 22-38, user can press "BUY" or "INFO" button to request ad contents to be pushed to device 20 at set intervals).

2.26. Regarding Claim 31, Clayton discloses the system of claim 19 further comprising: one or more streams of system data describing information related to operation of said system, wherein said system data is accessible by one or more system channels (Clayton: Fig. 1, ref 40, Col. 11: 15-24, configuration data are sent to multimedia device 20 for setting the user's interface environment).

2.27. Regarding Claim 39, Clayton and Tashiro disclose the method of claim 34 further comprising: presenting subscriptions options to said user for said plurality of DMIC (Clayton: Figs. 2 & 5, ref 160, Col. 9: 1-29, hierarchical display presenting user's subscribed channels); responsive to selections made by said user, communicating subscriptions selections to a multimedia information server (Clayton: Col. 8: 47-56, multimedia device sends subscription, navigation, purchase request to gateway network 30).

2.28. Regarding Claim 42, Clayton discloses the method of claim 41 wherein said update system comprises one or more of: receiving said updates directly from said dynamic information subscription server when changes to one of said channel data and said channel application are detected (Clayton: Col. 11: 7-21,

information in the database are constantly changed are continuously updated); and receiving said updates responsive to a request from said mobile device, wherein said request is issued according to one of: an update available signal received from said dynamic information subscription server; and passing of a predetermined period of time (Clayton: Col. 3, 1-8, database is updated manually or automatically via location change, i.e. signal provided to location server).

2.29. Regarding Claim 43, Clayton and Tashiro disclose the method of claim 42 wherein said user designates said predetermined period of time (Clayton: Col. 11, advertisement is pushed to device 20 in a set intervals, i.e. predetermined period of time).

2.30. Regarding Claim 44, Clayton and Tashiro disclose the method of claim 34 further comprising: receiving user preferences from said user at said mobile device; and communicating said user preference to said dynamic information subscription server for tailoring said stream of data to said user preference (Clayton: Col. 11: 40-56, user transmit preferences to gateway 30; Col. 12: 8-14, gateway 30 transmits events based on user's preferences).

2.31. Regarding Claims 48, 51 and 63, Clayton discloses the method and system for viewing interactive rich media information on a mobile device (Fig. 1-2, Col. 8: 31-56) comprising: means for interacting with a user interface of said mobile device to subscribe to plurality of rich media channels having rich media content (Fig. 2, ref 160, Col. 9: 1-29, screen 160 with soft action buttons and

selectors for selecting multimedia channels); means for displaying one of said plurality of rich media channels on a display of said mobile device, wherein displaying one of said one or more channels comprises retrieving updated channel data from a feed store on the mobile unit, wherein the updated channel data is updated over time and received over time for storage in the feed store (Fig. 2, ref 160, Col. 9: 1-29, screen 160 with hierarchical channel display for displaying multimedia channels); and means for manipulating a navigation mechanism on said mobile device to explore said rich media content on one of said plurality of rich media channels (Fig. 2, ref 162a-b, Col. 9: 30-51, navigation buttons for selecting desired channel from display); means for receiving said content, updates directly from an enhanced subscription server when changes to one of said plurality of rich media channels is detected (Fig. 2, Col. 8: 31-56, multimedia device 20 comprising microcomputer 90 memory 50, 92 transceiver 100, 110, 120 and 130 interfacing with broadcast channels, GPS, cellular and Internet gateway; Col. 11: 8-21, application is downloaded and updated from the server); and means for receiving said content updates responsive to a request from said mobile device, wherein said request is issued according to one of: an update available signal received from said enhanced subscription server; and passing of a predetermined period of time (Col. 3, 1-8, database is updated manually or automatically via location change, i.e. signal provided to location server; Col. 14: 51-67, program is updated when the lost of signal is occurred). However, Clayton fails to disclose wherein displaying one of said one or more



channels comprises retrieving updated channel data from a feed store on the mobile unit, wherein the updated channel data is updated over time and received over time for storage in the feed store.

Tashiro discloses a data broadcasting system and receiving terminal device (Fig. 1, ref 10, ref 40, Page 3: [0043]-[0048], a satellite communication broadcasting station 10 and terminal device 40), wherein the terminal device displaying one of said one or more channels comprises retrieving updated channel data from a feed store on the mobile unit, wherein the updated channel data is updated over time and received over time for storage in the feed store (Fig. 3, ref 51A, page 4: [0056], a presentation controller 51A, which determines the status for displaying data to the display 53 based on current position of the device while selecting the appropriate database objects. Fig. 8, Page 5: [0088], a reproduction of contents preliminarily stored in the internal memory for displaying to the display 53 (S21), wherein the contents stored in the memory are automatically updated and periodically updated as explained in Page 6: [0097]).

As a result, it would have been obvious to one having ordinary skill in the art at the time the invention was made to combine Tashiro's channel data content updating to Clayton's mobile radio with portable applications to improve adequate services in providing various program formats to the viewers (Tashiro: Page 1: [0008]).

2.32. Regarding Claims 49, 64, Clayton and Tashiro disclose the method and system further comprising: means for interacting with said user interface of said

mobile device to enter preferences applicable to said plurality of rich media channels subscribed to (Clayton: Fig. 2, ref 160, Col. 9: 1-29, allowing user to access and select audio and information channels; Fig. 2, Col. 9: 52-61, channel selection is displayed to user's preferable configuration).

2.33. Regarding Claims 50 and 65, Clayton and Tashiro disclose the method and system further comprising: means for automatically receiving content updates for said plurality of rich media channels subscribed to (Clayton: Col. 3, 1-8, database is updated manually or automatically via location change, i.e. signal provided to location server).

2.34. Regarding Claims 52 and 67, Clayton and Tashiro disclose the method and system further comprising: means for receiving a subscriber-specific stream of channel data from an enhanced subscription server; and means for storing said channel data in a channel-specific memory (Clayton: Col. 7: 41-46, user can receive enhanced broadcast information and can save it into gateway server 30 with a push of button).

2.35. Regarding Claims 53 and 68, Clayton and Tashiro disclose the method and system further comprising: means for restricting access to said channel data to ones of said plurality of rich media channels associated with said channel data (Clayton: Fig. 3, ref 200, Col. 11: 40-49, registration and profile information; Col. 14: 1-14, user can only access channels that matches with profile).

2.36. Regarding Claims 54 and 69, Clayton and Tashiro disclose the method and system further comprising: means for using subscription information entered during execution of said means for interacting to compile said subscriber-specific stream of channel data (Clayton: Col. 11: 50-56; Col. 12: 1-14, user sends information to gateway server 30 to configure subscription information and data channels).

2.37. Regarding Claims 55 and 70, Clayton and Tashiro disclose the method and system, further comprising: means for using said preferences to compile said subscriber-specific stream of channel data (Clayton: Col. 11: 50-56; Col. 12: 1-14, user sends information to gateway server 30 to configure subscription information and data channel).

2.38. Regarding Claims 56 and 71, Clayton discloses the method and system further comprising: means for running an interactive multimedia runtime container (iMRC) for each of said plurality of rich media channels displayed on said mobile device (Clayton: Fig. 2, ref 166, 170, Col. 10: a radio device display or screen 160 with interactive multimedia soft action buttons or selectors 162, 166, 170, 172 with software application stored in memories 50, 92, i.e. iMRC, operable on the display 160 for user to navigate and select the preferred channel, i.e. subscribed to).

2.39. Regarding Claims 57 and 72, Clayton and Tashiro disclose the method and system further comprising: means for combining said channel data and

channel application logic in said iMRC to display said plurality of rich media channels (Clayton: Fig. 2, ref 166, 170, 172, Col. 10: 1-36, user is able to configure soft preset buttons such that it can be operable on selectable channel(s) for display on the screen 168; the computer application programs stored in memory 50 and 92 in the multimedia device 20 control each action buttons, i.e. iMRC, to display and operate on each user's selected channel).

2.40. Regarding Claims 58 and 73, Clayton and Tashiro disclose the method and system wherein said channel application logic comprises one of: application logic preexisting on said mobile device (Clayton: Fig. 1-2, ref 50, 92, Col. 8: multimedia device 20 contains operating system and applications to control and communicate with four on-board receivers); and application logic downloaded from said enhanced subscription server upon subscription to one of said plurality of rich media channels (Clayton: Col. 7: 4-12, download applications to update the system using Internet connection 60).

2.41. Regarding Claims 59 and 74, Clayton and Tashiro disclose the method and system further comprising: means for automatically receiving logic updates for said channel application logic (Clayton: Fig. 1-2, ref 100, 110, 120, and 130, Col. 8: 7-11, Col. 11: 8-21, Information database is constantly updated by day; navigation and advertisement service is updated when user change location).

2.42. Regarding Claims 60 and 75, Clayton and Tashiro disclose the method and system further comprising: means for receiving at least one stream of

system channel data at said mobile device; and means for displaying at least one system channel using said system channel data (Clayton: Fig. 2, Col. 8: 31-56, transceiver 100, 110, 120 and 130 for receiving channel data and Col. 9: 1-29, display 160 with soft action and navigation buttons/keys for display channel data).

2.43. Regarding Claims 61 and 76, Clayton and Tashiro disclose the method and system further comprising: means for restricting access to said system channel data to said at least one system channel (Clayton: Fig. 3, ref 200, Col. 11: 40-49, registration and profile information; Col. 14: 1-14, user can only access channels that matches with profile).

2.44. Regarding Claims 62 and 77, Clayton and Tashiro disclose the method and system, wherein said at least one system channel comprise at least one of: a channel listing providing information on each of said plurality of rich media channels available for subscription; a headline channel for displaying a summary of each of said plurality of rich media channels subscribed to, said summary displayed in a single channel; a promotions channel for displaying one or more promotions directed to a plurality of subscribers to said mobile information system; visual elements of said iMR; and a game channel (Clayton: Col. 11: 7-20, program listing via database 194; Fig. 3, ref 194, ref 196, ref 188, ref 202, Col. 11: 1-38, the internet gateway comprising streaming data servers 188 as discovery channels, broadcast relational database 194 shows current playing

channels; advertising database 196 for showing promotions channels; Clayton: Fig. 2, ref 160, multimedia device containing LCD display screen for visually displaying, i.e. visual elements, the hierarchical channels; Clayton: Col. 7: 4-12, personal information services comprising email, stock quotes, interactive audio games, etc).

2.45. Regarding Claims 78, 84, 90 and 96, Clayton discloses the method and mobile rich media information system (Figs. 1-3, Col. 8: 31-67) comprising: an enhanced subscription server configured to retrieve information from at least one of a plurality of Internet sources and compile at least one subscriber-specific data stream for a mobile device based upon channel subscription information associated with the mobile device, the channel subscription information comprising a channel selection (Figs. 1-3, Col. 5: 65-Col.6: 25, a Internet gateway 30, i.e. subscription server, with central gateway servers and multiple application servers configured to receive from Internet content data to create personal information channels); wherein the at least one subscriber-specific data stream comprises channel content data for populating one of a plurality of channels corresponding to the channel selection (Figs. 1-3, Col.6: 26-54, subscriber's data stream contains audio broadcast data such as music, email traffic alerts, etc., populated into different types of channels for user to select on screen); and wherein the mobile device is configured to display the channel content data with a visual appearance provided by an interactive multimedia runtime container associated with the one of the plurality of channels, the

interactive multimedia runtime container residing within the mobile device (Fig. 2, ref 166, 170, Col. 10: a radio device display 160 with interactive multimedia soft action buttons or selectors 162, 166, 170, 172 embedded in software application stored in memories 50, 92, i.e. iMRC, operable on the display 160 for user to navigate and select one of the preferred channel subscribed by user). However, Clayton fails to disclose, wherein the channel content data is updated over time such that updated channel content data is provided over time and , wherein displaying the channel content data comprises using updated channel content data from a feed store on the mobile device.

Tashiro discloses a data broadcasting system and receiving terminal device (Fig. 1, ref 10, ref 40, Page 3: [0043]-[0048], a satellite communication broadcasting station 10 and terminal device 40), wherein the channel content data is updated over time such that updated channel content data is provided over time and (Fig. 3, ref 52A, page 4: [0058], the terminal device comprising a database update controller for detecting the database update data sent from the mobile satellite broadcasting station 10, i.e. server, for updating, changing, adding or deleting the registered object; Page 6: [0097], the contents stored in the memory are automatically updated and periodically updated), wherein displaying the channel content data comprises using updated channel content data from a feed store on the mobile device (Fig. 3, ref 51A, page 4: [0056], a presentation controller 51A, which determines the status for displaying data to the display 53 based on current position of the device while selecting the

appropriate database objects. Fig. 8, Page 5: [0088], a reproduction of contents preliminarily stored in the internal memory for displaying to the display 53 (S21)).

As a result, it would have been obvious to one having ordinary skill in the art at the time the invention was made to combine Tashiro's channel data content updating to Clayton's mobile radio with portable applications to improve adequate services in providing various program formats to the viewers (Tashiro: Page 1: [0008]).

2.46. Regarding Claims 79 and 85, Clayton and Tashiro disclose the method and system, wherein the enhanced subscription server is configured to transmit a signal to the mobile device to indicate an availability of updated channel content data (Clayton: Col. 7, 19-24, the gateway server 30 with event driven personal information service sends user warning about important event).

2.47. Regarding Claims 80, 86 and 98, Clayton and Tashiro disclose the method and system, wherein the enhanced subscription server is configured to receive a channel content data request from the mobile device and to transmit updated channel content data to the mobile device (Clayton: Col. 11: 22-39, user select content and press button to transmit request to server. After look up, the server responds with updated information to user).

2.48. Regarding Claims 81 and 87, Clayton and Tashiro disclose the method and system, wherein the at least one subscriber-specific data stream comprises channel application data associated with the one of the plurality of channels



corresponding to the channel selection, the channel application data being operable to modify the visual appearance provided to the channel content data by the interactive multimedia runtime container (Clayton: Col. 7: 4-3, application can be downloaded to device 20; Col. 12: 1-7, gateway also transmits other software applications to the device 20 referred to channels for personal information services).

2.49. Regarding Claims 82 and 88, Clayton and Tashiro disclose the method and system, wherein the enhanced subscription server is configured to transmit a signal to the mobile device to indicate an availability of updated channel application data (Clayton: Col. 6, 26-37, via the remote programmable device 40 user can customize and send request to configure, download application from server to multimedia device 20).

2.50. Regarding Claims 83 and 89, Clayton and Tashiro disclose the method and system, wherein the enhanced subscription server is configured to receive a channel application data request from the mobile device and to transmit updated channel application data to the mobile device (Clayton: Col. 11: 7-21, internet gateway update broadcast listing and transmit the update through out the day; navigation server also transmit to user navigation data when the location change (Clayton: Col. 8: 7-11)).

2.51. Regarding Claims 91 and 97, the rejection is based on Clayton disclosure similar to Claims 79 and 85 above.

2.52. Regarding Claims 92 and 100, Clayton and Tashiro disclose the method and system, wherein the at least one subscriber-specific data stream comprises channel application data associated with the channel selection, the channel application data being operable to modify the visual appearance provided to the channel content data by the interactive multimedia runtime container (Clayton: Col. 7: 4-3, application can be downloaded to device 20; Clayton: Col. 12: 1-7, gateway also transmits other software applications to the device 20 referred to channels for personal information services).

2.53. Regarding Claims 93 and 102, the rejection is based on Clayton disclosure similar to Claims 83 and 89 above.

2.54. Regarding Claim 94, Clayton and Tashiro disclose the method and system of claim 90, the mobile device further comprising a plurality of channel data storage units, each of the plurality of channel data storage units being associated with a corresponding one of the plurality of channels subscribed to by the mobile device (Clayton: Fig. 2, ref 50, 92, Col. 8: 26-56, memories 50, 92 for storing plurality of applications associated with content data channels).

2.55. Regarding Claim 95, Clayton and Tashiro disclose the method and system of claim 94, the mobile device further comprising a push engine for allocating channel content data received from the enhanced subscription server into corresponding ones of the plurality of channel data storage units associated with each of the plurality of channels (Clayton: Fig. 2, ref 172, 174, Col. 10: 26-36,

program running on device 20 control action buttons such that when executed, the output of the program can be saved into gateway server channels for future retrieve or fulfilling a purchase order).

2.56. Regarding Claim 99, the rejection is based on Clayton's disclosure similar to Claims 81 and 87 above.

2.57. Regarding Claim 101, the rejection is based on Clayton's disclosure similar to Claims 82 and 88 above.

### ***Conclusion***

3. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of

the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

4. Any inquiry concerning this communication or earlier communications from the examiner should be directed to PAUL P. TRAN whose telephone number is 571-270-1944 (FAX. 571-270-2944). The examiner can normally be reached on Monday to Thursday 8:00AM - 5:00PM EST.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, NAY MAUNG can be reached on 571-272-7882. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/Nay A. Maung/  
Supervisory Patent Examiner,  
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/PAUL P TRAN/  
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November 13, 2009